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MAR 10 2005
RmR-D-46
YOSEMITE NATIONAL PARK



03/09/2005 10:02 PM
PST

To: yose_planning@nps.gov
cc:
Subject: Draft - Merced Wild and Scenic River Revised Comprehensive
Management Plan

March 9, 2005

United States Department of the Interior
National Park Service
Yosemite National Park
P.O. Box 577
Yosemite, CA 95389
E-mail: yose_planning@nps.gov

Re: Draft - Merced Wild and Scenic River Revised Comprehensive
Management Plan, Supplemental EIS - January 2005

Dear Yosemite Planning,

I would like to comment on the Draft - Merced Wild and Scenic River
Revised Comprehensive Management Plan, Supplemental EIS - January 2005.
My comments are quite general and not directed to specific sections or
topics within the Supplemental EIS.

The Merced River (all branches, forks, and tributaries) and the
canyons, valleys, and meadows through which it flows are all governed by
natural hydrologic and geologic processes. These processes know nothing
of EIS's, planning, or management. Because of this, these natural
processes will proceed on their own, at their own rates, wherever they
want, and regardless of what the EIS or man decides. These processes
(hydrological and geomorphic river related processes; rockfall - talus,
shadow zone, blowdown) have immense power and can do whatever they want,
wherever they want, whenever they want and there is nothing we can do to
stop it. Therefore, our best strategy is to realize that the natural
processes will win no matter how we plan, manage, or build.

Thus, I am trying to be an advocate for and proponent of maintaining
the natural river, its canyons, valleys, and meadows, and the natural
geologic and hydrologic processes that are associated with the river and
its surroundings within the park. As stated in the EIS please:

Protect and enhance river-related natural resources, including
channels, floodplains, alluvial fans, meadows, wetlands, and water quality.

Protect and restore natural hydrological, geomorphic, and
geologic processes.

Provide appropriate land uses, keeping natural systems paramount
(this should include biologic systems).

But remember that:

It is not possible to avoid risks to human life or structures
due to geologic processes such as earthquakes and rockfalls, or
hydrologic processes such as floods and river course changes.
Plan accordingly.

Sincerely,

Registered Geologist, Certified Hydrogeologist
Ave.
Sanger, CA 93657

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MAR 10 2005



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To: <yose_planning@nps.gov>
cc: "
Subject: Draft MRP comment period

YOSEMITE NATIONAL PARK

RmR-D-47

Dear Planning Office,

I am writing to request that there be an extension of the March 22, 2005 comment deadline of the Draft Merced Wild and Scenic River Revised Comprehensive Management Plan SEIS. The plan is cumbersome, difficult to understand, and in some places incomplete, and expecting informed and concerned citizens to be able to respond thoughtfully to this plan by March 22 sets up an impossible task. If a comment period extension is given, the public will be better able to participate in making this document a truly protective plan for the Wild and Scenic Merced River and Yosemite National Park. Based on the size of the plan and what is at stake, I suggest extending the comment period for at least three months.

Sincerely,

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MAR 11 2005



03/10/2005 11:14 AM
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To: <yose_planning@nps.gov>
cc:
Subject: public testimony El Portal

YOSEMITE NATIONAL PARK
RmR-D-48
Page 1 of 2

MRP Draft Public Testimony—El Portal 2/22/05

1

I question the wisdom of sacrificing El Portal and the Merced River Canyon for the sake of outdated planning in Yosemite National Park. Once I was supportive of moving as much as possible out of Yosemite Valley to El Portal, but after living and working here for 18 years, I realize that this is not a realistic solution to some very real park problems (problems which include a crowded visitor experience during the busiest holidays, threatened natural and cultural resources, and vehicle related air pollution). Though El Portal was set aside in 1958 as an Administrative Site for Yosemite National Park, the Merced Wild and Scenic River Act of 1987 now takes precedent over what the park may do with the El Portal section of the Merced River corridor. **It needs to be emphasized to all El Portal residents that the Wild and SCENIC River Act calls for protection and enhancement of the Merced River values (a.k.a. Outstandingly Remarkable Values) —this fact makes all the difference in the planning efforts for El Portal (as well as for the entire Yosemite National Park).** Therefore, further development in El Portal is not as inevitable as the public and we as residents have been led to believe over the years. For example, out-of-Valley parking and increased administrative offices here would make (and are making) it necessary to disturb natural places that are just as rare, ecologically valuable, and scenic as any in Yosemite Valley —places that, in most cases, have never been impacted in this way before. The 1996 SNEP report (Sierra Nevada Ecosystems Project) documented just how valuable and rare these ecosystems are in this section of the river canyon. I question the wisdom of destroying new areas in and out of the park with development that isn't absolutely necessary —development that is contributing to the commercialization and general up scaling of our national park. While it seems totally appropriate for administrative offices to be relocated to urban areas distant from the park, it is puzzling to me why it has been determined that resource related divisions such as NPS archeology and wildlife have been moved out of Yosemite Valley to El Portal. Unfortunately, most local residents do not realize that new DNC employee dorms are currently being built at Curry Village causing ancient California black oaks to be cut down (something I ALSO question), yet El Portal residents are being asked to accept as part of this plan a huge influx of employees to be housed here in El Portal. The Wild and Scenic Merced River corridor does not need offices overlooking the river, more hotels and high density apartments, additional commuters on Highway 140, oversized buses belching diesel, more pavement, and even more bathrooms and showers. In order to truly "protect and enhance" the Merced River, scaling back on development in and out of the park should be the goal for both NPS and the park concession. Though the population of Mariposa County, California, the nation, and the earth continues to grow, we all (this includes private land owners as well as National Park Service employees) must remember that Yosemite and its resources like the Merced River are precious and finite.

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And I have a final question: How can the public respond to this plan when the first annual VERP report will not come out until after the River Plan comment period?

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YOSEMITE NATIONAL PARK

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Page 1 of 2

41969 Highway 41 Oakhurst CA 93644

Phone: 559-683-4636 / Fax: 559-683-5697

www.YosemiteThisYear.com ~ ysvb@YosemiteThisYear.com

Michael J. Tollefson, Superintendent
Yosemite National Park
P. O. Box 577
Yosemite, CA 95389
Draft Revised Merced River Plan / EIS

March 10, 2005

Dear Superintendent Tollefson,

In a letter (August, 2004) responding to the Scoping of the Revised Merced River Plan / EIS (RMRP), the Board of Directors of the Yosemite Sierra Visitors Bureau (YSVB) advised you (NPS) that the scope of this plan should *not* be so narrowly defined as to exclude the issues of adequate parking for a growing day use visitor experience and restoration of low cost, low impact campgrounds in previously disturbed areas of Yosemite Valley. In public hearings for the Scoping of the RMRP, community members echoed those concerns and also advised NPS that an inclusive process for developing the plan should be used, involving *all* affected stakeholder groups. This should include Native Americans, local environmental organizations, campers, rock climbers, and other historic user groups as well as Yosemite gateway communities. Attendees at the recent public hearings were told that the NPS staff was there to listen to their concerns. It is evident that while the NPS may be listening, they are not *hearing*.

The YSVB is extremely disappointed in the current RMRP being circulated for public comment. Aside from the obvious absence of any of the recommendations listed above, the current RMRP is difficult to comprehend and lacks specific descriptions of management actions to be taken. Opposition to some alternative actions such as Day Use Reservations, quotas and possible entry gate closures was dismissed as management actions unlikely to be used. The YSVB contends that if this is the case, that the RMRP should not include them in any of the alternatives. Information conveyed by the NPS can greatly influence public perception, as past history has proven, resulting in the belief that Yosemite National Park is not accessible. Therefore, exclusion of items is as important as inclusion.

Resource protection balanced with a positive visitor experience has been, and will continue to be, the primary concern of the YSVB and is foundational to all other plans for Yosemite Valley. Protection of environmental, cultural, historical, and economic resources must be considered for protection as well as the Outstandingly Remarkable Values (ORV's) of the Merced River as outlined in the Wild and Scenic Rivers Act. As illustrated in the NPS presentation at the recent public hearings, protection of resources takes precedent over action plans such as the Yosemite Valley Plan. Yet NPS continues to "un-encumber" development projects related to the Yosemite Valley Plan without

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Page 2 of 2

completion of the foundational RMRP. While this may showcase the ability of the NPS to manipulate the US Judicial System, it demonstrates absolute disregard for Yosemite's stakeholders opposing NPS actions through the courts. It is regrettable to see the NPS use their expertise and resources *against* Yosemite's stakeholders instead of directing them toward developing true partnerships for the future.

The YSVB recommends that the current RMRP be withdrawn from public comment by the NPS and a cooperative effort, with all stakeholder groups represented in the process, be used to re-tool this plan to make it more understandable and consistent with the mission of the National Park Service. The YSVB also recommends adoption of the interim plan described in the Madera County Supervisor's letter of June 27, 2000 while re-tooling of the RMRP takes place.

The YSVB is committed to on-going civic engagement with NPS to insure that the preservation of Yosemite transcends political agendas, career objectives and special interests and is truly for future generations. The YSVB also will continue to pursue our legislative and administrative representatives from federal, state and local governments to insure their support as we work together toward the preservation and enjoyment of our National Parks.

Most Sincerely,

Max Stauffer, President
YSVB Board of Directors

Dan Carter, Executive Director
Yosemite Sierra Visitors Bureau

Cc. Madera County Board of Supervisors
YSVB Board of Directors
YSVB Partners in Tourism
Honorable George Radanovich, Congressman
Honorable Diane Feinstein, US Senator
Honorable Devin Nunez, Chair, House Subcommittee – National Parks
Arnold Schwarzenegger, California State Governor
Chuck Poochigian, State Senator
Dave Cogdill, State Representative
Gary Gilbert, Chair, NACo Subcommittee - Gateway Communities
Oakhurst Area Chamber
Coarsegold Chamber
Bass Lake Chamber
North Fork Chamber

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MAR 14 2005

YOSEMITE NATIONAL PARK
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03/13/2005 07:31 PM
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To: <yose_planning@nps.gov>
cc:
Subject: Draft MRP comment period

Dear Planning Office,

I'm writing to clarify my previous request for an extension of the Draft MRP comment period. While it may be helpful for citizens to have more time to review this extremely confusing Draft Merced Wild and Scenic River Revised Comprehensive Management Plan SEIS, the document still does not protect the Wild and Scenic Merced River and its values. In order to truly protect the Merced River, and thus Yosemite National Park, it is becoming quite obvious to me that this document full of jargon and flawed methodologies must be re-written; and a new comment period should then be opened to the public.

And since the park is still lacking a valid and protective river plan, I strongly urge you to issue an immediate moratorium on all park projects within the river corridor. This is the only logical approach to park planning considering the fact that all Yosemite plans must have a foundation of a valid Merced Wild and Scenic River Comprehensive Management Plan.

Thank you for your consideration.

Sincerely,

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MAR 14 2005



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To: Yose_planning@nps.gov
cc:
Subject: comment on Draft Merced Revised CMP/SEIS

YOSEMITE NATIONAL PARK

RmR-D-51

Page 1064

Monday, March 14, 2005

Superintendent, Yosemite National Park
Attn: Draft Revised Merced River Plan/SEIS
P. O. Box 577
Yosemite, CA 95389

Superintendent Tollefson, Planning Office:

For the following reasons the Draft Merced Wild and Scenic River Revised Comprehensive Management Plan/SEIS (DMRCMP) is in need of a complete revision, a new draft version and a new and adequate comment period. An extension of the comment period will not suffice.

- 1) Alternative 2, the Preferred Alternative, offers no hope of being understood by the public and does not satisfy the basic test of communicating clearly to the lay public what it is the agency intends to do. It seems to have been constructed with that aim in mind, in fact.
- 2) The alternatives, according to some NPS staffer(s), cannot be readily compared to one another, again, it appears by design.
- 3) Alternative 2, VERP Program with Interim Facility Limits, fails the test of putting in place a mechanism to prevent degradation of the resource before it occurs. Furthermore, if it (VERP) only measures human impact then it is inadequate because by definition impacts upon the resource must include new, temporary and pre-existing infrastructure. Moving humans around from one location to another or counting them as having less impact if they are in buildings, as if this would miraculously reduce impacts while ignoring the role of construction and expansion of existing facilities and infrastructure, is a bankrupt approach to resource protection and preservation. Not only that, but it might entail wasting a lot of taxpayer's money that could perhaps be put to better use elsewhere or at least not squandered so frivolously on stuff the incomparable Valley does not need more of.
- 4) Alternative 2 does not contain a provision for a moratorium on further construction, excepting the \$12 million required retrofit of the existing sewage system. How can the VERP determine correctly after the fact of a lot of new construction that it was the right decision to allow it to proceed? In order for the VERP to be valid, new construction should be held in check until the VERP is completed.
- 5) Alternative 2, in allowing roads to be widened and re-routed, fails to mitigate their impacts upon the river corridor, which protections are at the heart of WSRA.

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6) Alternative 1 is incorrectly named the No Action alternative. It would contemplate the continuation of lots of new construction.

7) The DMRCMP contains a confusing mass of contradictions, illogical statements and inconsistent jargon that has even been described by another Federal land management agency as a "convoluted mess."

8) Due to all of the above and other reasons the document is not NEPA compliant.

9) The plan does not choose to put in place some interim limits that could have been based on, for example, the 2000 *Yosemite Valley Plan* (YVP), or some other reasonably construed limits to be used during the VERP. Instead, it chooses significantly higher limits, apparently based upon the lowest numbers of visitors, buses, and other impacts during the period ensuing from 1998 until 2004 rather than taking into account higher numbers from earlier years, which would have been a more realistic approach. Higher interim facility limits are not needed merely to accommodate the concessionaire or other interests at the expense of not protecting the resource adequately. The misleading jargon about "interim [facility] limits" of 1,262 lodging units cited on p. D-4, Table D-2: Alternative 2: VERP Program with Interim Facility Limits, and in Footnote d, appears to be an intention to increase substantially the number of units existing presently.

10) The same misleading jargon applies to the current number of bus parking spaces per day also cited on p. D-4, Table D-2 and in Footnote c. "Commercial/Noncommercial Buses Limited/Managed to Existing Parking Interim Limit: 38 bus parking spaces used to manage 92 buses per day." Footnote c states, "Current number of bus parking spaces in Yosemite Valley (per Cindy Miller, NPS Traffic Management, December 2004) used to manage 92 commercial or transit buses per day (estimate based on commercial bus use August 1996 and transit bus use of August 2000); also see p. IV-161." In fact, NPS has chosen to cite the lowest year ensuing since the 1998 data used in the YVP for the numbers of commercial buses, 41 in 2004 (p. III-113). Average numbers of buses in 1998 per day during June, July, August and September were considerably higher than this and weekend numbers were even higher (weekend days typically, although not exclusively being when the highest daily impacts occur.) In fact, the impacts of commercial buses were not adequately mitigated when the Lower Yosemite Falls project occasioned moving commercial buses closer to humans staying at Camp 4, where many of them have remained. This is unacceptable.

The plan does not adequately mitigate the impacts of buses during the hours when the greatest numbers of them arrive from 10 am to 12 pm and more broadly from 10 am until 2 pm.

11) The DMRCMP contemplates an inadequate limitation of wood burning in campfires and in concession lodgings (p. III-56), an inadequate discussion of mortality from ozone (p. III-57) - see JAMA 2004; 292:2311. Vol. 292 No. 19, November 17, 2004, and with reference to both of the above and more generally, fails to adequately mitigate local emission sources made more significant by the fact that the San Joaquin Valley Air Pollution Control District has adopted the most extreme nonattainment status and during periods when management fires or wildfires are

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YOSEMITE NATIONAL PARK

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affecting air quality.

The DMRCMP does not recommend early adoption of the California Air Resource Board to be implemented approximately from 2007 to 2011 to further control and limit emissions from non-urban buses operated by public agencies (Public Agency Rule.) The new hybrid diesel-electric buses will not have Closed Crankcase Filtration installed and will not save much fuel compared with standard diesel buses. The Categorical Exclusion authorizing the acquisition of these buses was not made public timely. Commercial buses operating in the park will not be required to be equipped with particulate traps, to be fueled with ultra-low sulfur diesel fuel or be cited for excessive idling as a result of this plan, nor have they been cited for doing so in the past to my knowledge.

With reference to Yosemite's Class 1 airshed status where "the lowest or most stringent, increment (least extent of allowable air quality degradation) applies...", NPS relies too much on the state ozone SIP, the state PM-10 SIP and the state PM-2.5 SIP (see p. III-54, Table III-2: Air Basin Attainment/Nonattainment Designations and footnotes). For example, page III-59, Footnote 17a states that "data from IMPROVE monitoring stations do not comply with the new federal reference method for measuring PM2.5 and thus cannot be used for compliance purposes (e.g. in determining attainment or nonattainment)." Comparing Yosemite's visibility impairment to that of the Great Smoky Mountains National Park, the worst in the nation, is deceiving and misleading to the lay reader.

The 1980 *General Management Plan* "calls for the National Park Service to limit unnatural sources of air pollution to the greatest extent possible" (p. III-56). The DMRCMP fails to explain how this might be accomplished given that it would allow higher interim numbers of buses, lodgings and human impacts during the VERP.

12) The DMRCMP contemplates ORV's that are not fully articulated and thus not adequately protective.

13) In the same manner alluded to above in items 9 and 10, p. III-141, Table III-21: 2003 Yosemite Valley Energy Consumption, relies upon another low year compared with the years cited in the 2000 YVP. Again, this is misleading because it avoids what any third grader could deduce: that energy consumption will increase proportionally when visitation increases above the levels seen in only the past 7 years. The data cited is therefore inadequate to its intended purpose. The DMRCMP does not contemplate or attempt to bring about adequate annual reductions in energy usage. Rather, it has been conceded by park staff that the proposed reconstruction of nearly all of the utilities in Yosemite Valley would consume more energy than the present ones.

14) Once again, as in items 9, 10 and 13 above, traffic data cited from 2003 on p. III-111, "Average daily traffic volumes in August 2003 were about 4,750 vehicles on Southside Drive and 4,790 vehicles on Northside Drive (NPS 2003a)" is misleading because data was cited from a low year compared to historic peak years referenced in the YVP.

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YOSEMITE NATIONAL PARK

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Page 4064

Please issue a new and revised DMRCMP for the above reasons.

Regards

, Fremont, CA 94538

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03/14/2005 04:02 PM
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To: <yose_planning@nps.gov>
cc:
Subject: out of scope of d. MRP?

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MAR 14 2005

YOSEMITE NATIONAL PARK
RMR-D-52

At a the Mariposa open house Mark Butler suggested I make this as a general comment to you and park planners, as he thought it was out of the scope of the revised draft Merced River Plan:

To Superintendent Tollefson:

While reading over the revised draft Merced River Plan (Chapter III: Affected Environment page III-86 under the heading of Winter Activities at top of page) I found a list of winter activities at Badger Pass that does not include tubing, though it has been offered by DNC as a guest activity at Badger for the past 3 winter seasons. These "tubes" are sliding devices that require a rental fee. However, park visitors who arrive at Badger Pass with their own sliding devices are told that sledding is prohibited at Badger Pass. I'm curious to know why tubing is not listed as a winter activity at Badger Pass in the newly revised draft Merced River Plan. I'd also like to say that this situation (visitors may only sled at Badger Pass if they pay for a tube rental and adhere to tubing sessions) sets up an equity issue. I heard that in 2004 an orchid was discovered at Badger Pass, in the same location as the tubing area for the first two winter seasons it was offered. Though the tubing area was moved slightly for this winter season, I would like to know more about impacts tubing may have on this rare plant.

Sincerely,

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YOSEMITE NATIONAL PARK

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To: <yose_planning@nps.gov>
cc:
Subject: DRMRP:

Thank you for the opportunity to participate in managing Yosemite. I have visited it for over 60 years and it is one of my favorite spots on earth. I am afraid that with the destruction of habitat where we live, more and more pressure is being put on public places like Yosemite and in my view Yosemite is literally being "loved to death".

Hope we can make "room" for other species on this planet.

I favor Alternative 4 because of the trampled areas along streams.

I feel public education is the only way to ultimately save these areas.

one, Lake San Marcos, CA 92069

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03/15/2005 11:06 AM
EST

To: Yose_planning@nps.gov

cc:

Subject: merced river plan seis

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YOSEMITE NATIONAL PARK

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I AM AGAINST THE PROPOSED ACTION.

I AM AGAINST VERP AND ANY REGULATION OF ACCESS TO THE MERCED RIVER.

HOWEVER, MY BEST FRIEND IS THE CHIEF MOUNTIAN GUIDE IN THE PARK,
AND HE TOLD ME THERE ARE TOO MANY MEXICANS HANGING AROUND THE RIVER
FROM PHOHONO BRIDGE TO THE LOWER MERCED CANYON.

YOU MAY RECALL A MEXICAN BOY DROWNED A FEW YEARS BACK IN THIS AREA.

VISITORS SHOULD BE MADE AWARE OF THE RISKS OF DROWNING IN THE RIVER
WHEN THEY ENTER THE PARK.

BUT BASICALLY I AM AGAINST ANY REGULATION OF VISITORS TO THE RIVER.

THANK YOU FOR THE OPPORTUNITY TO ADD MY COMMENTS TO THE PLANNING PROCESS.

SINCERELY,

March 1, 2005

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YOSEMITE NATIONAL PARK

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Michael J. Tollefson
Superintendent, Yosemite National Park
Draft Revised Merced River Plan/SEIS
P.O. Box 577
Yosemite, CA 95389

Superintendent Tollefson and Park Administrative Team:

It is with sincere disappointment that we submit our comments with respect to this Draft Revised Merced River Plan. We were cautiously optimistic that your administration would view this exercise as a tremendous opportunity to establish real safeguards to protect the Merced River Corridor. However, a review of the Plan reveals an effort that can be described as disingenuous, at best. Though we believe the core planning team and technical experts may have wanted to approach this challenge with integrity, we fault your leadership for facilitating/advancing the development of what we believe is a very manipulated document framed to lock in a pre-determined agenda—conversion of Yosemite Valley to mass transit tourism, aka implementation of the Yosemite Valley Plan (YVP).

1. LIMITED SCOPE OF DRAFT REVISED MERCED RIVER PLAN. The Federal Register Announcement (July 27, 2004) restated the Ninth Circuit's Opinion holding "that the entire Merced Wild and Scenic River Comprehensive Management Plan (CMP) is invalid due to two deficiencies: (1) A failure to adequately address user capacities; and (2) the improper drawing of the Merced River's boundaries at El Portal." The Announcement goes on to state: "The revised plan will address factors identified by the Court, including user capacities throughout the entire park corridor and the river corridor boundary in El Portal." "Scope of issues identified to date include: Land management, user capacities, appropriate types and levels of recreation, and protection and enhancement of the Merced River's Outstandingly Remarkable Values [ORVs]."

Though the Federal Register Announcement focused on the two deficiencies, it recognized the "ENTIRE... CMP is INVALID" and referenced "Land management, user capacities, appropriate types and levels of recreation, and protection and enhancement of the Merced River's Outstandingly Remarkable Values" as integral to the total effort. However, when Yosemite announced the call for scoping they decidedly narrowed the focus claiming: "The Court's decision upheld the other elements of the plan, including boundaries for other segments of the river; classifications for all river segments; Outstandingly Remarkable Values; the River Protection Overlay; the Section 7 determination process, and the plan's management zoning program. As a result, these five elements are not being revisited in the SEIS." Consequently, the document before us represents the Park's "spin" on the court order, making a mockery of the judicial system; it merely plugs in some interim numbers that have no environmental relevance while management charges forward with the Yosemite Valley Plan.

"User Capacity" is defined officially by the 1982 Wild and Scenic Rivers Interagency Guidelines as: "the quantity of recreation use which an area can sustain without adverse impact on the outstandingly remarkable values and free-flowing character of the river area, the quality of recreation experience, and public health and safety." This foundational element impacts every other management element. Therefore, determination on user capacity cannot be made in isolation and simply plugged into the invalid Merced River Plan. Instead such determination must be integrated in combination with other management elements (e.g., zoning, ORVs, classifications, etc.)—elements that, in and of themselves, would enjoy value-added credence as a result of being reexamined and further clarified and/or modified in light of critical new information.

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Public Comments: Draft Revised Merced River Plan/SEIS

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March 1, 2005

YOSEMITE NATIONAL PARK

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The Ninth Circuit court order stated that "...the NPS is [not] precluded from using VERP to fulfill the user capacities requirement..." as long as such limits "will not adversely impact the Merced ORVs." Instead Park administrators chose to redefine user capacity as "the types and levels of visitor use that can be accommodated while sustaining the desired resource and social conditions that complement the purpose of the park units and their management objectives" (Page II-17). Such terminology makes for warm and fuzzy language but blurs measurable objectivity and accountability.

Consequently, the Plan we have before us is nothing more than a cursory effort to shave off square corners to enable it to squeeze into a round hole. A tremendous opportunity entailing thousands of hours invested by park personnel and the general public coupled with the expenditure of thousands of taxpayer dollars has been squandered—while park administrators continue their march toward their pre-determined agenda.

2. A NON-PLAN. This Revised Merced River Plan describes interim steps (e.g., gathering baseline data, development and field-testing of indicators and standards, etc.) to be taken over the course of the next 5 years. It discusses how an "explicit strategy would be created to determine how, when, and where indicators would be monitored and how the data would be reported." It discusses a range of management actions that could occur but there is nothing definitive—because field-testing of standards and indicators has only just begun.

The standards and indicators presented have little meaning: "no riverbank erosion that exceeds Condition Class 2," "5% reduction in feeding of wildlife." There are no standards or indicators for preservation of the Scientific ORV or the Geologic Processes ORV. How does finding "an open table 70% of the time" protect the Biological ORV? It seems like the primary standard for preservation of the Cultural ORV is the "number of vehicles in any activity area at any one time..." The Scenic ORV is only referenced six times (compared to 23 times for the Recreation ORV) with the primary focus being the "length of social trails." What happens when ORVs are in conflict and how does the Park objectively determine if one is more important than another? Is conflict between ORVs necessary or is that merely evidence that the ORVs were not thoroughly defined in the first place. In follow-on park plans such as the Lodge and Curry EAs, Park administrators use the "net gain" argument—except Native American values (Cultural ORV) get trumped every time; what clear and objective methodology will guarantee protection of Native American values (Cultural ORV) besides counting cars in parking lots? It's interesting to note that in describing meetings held to develop criteria for standards and indicators a list of 14 items is presented in this document; dead last on the list—"connected to the Outstandingly Remarkable Values" (page II-48). That must be the primary criterion, not an afterthought? Recognizing the importance of ORVs, the WSRA Interagency Commission (2002) issued a management directive: "Thoroughly define the ORVs to guide future management actions and to serve as the baseline for monitoring." Though the invalid Merced River Plan made a feeble attempt, it fell far short in justifying selection, denoting goals for protection, and specifying how management prescriptions would achieve stated objectives. This Revised River Plan has continued to sidestep these fundamental deficiencies. An additional concern—since this Revised Plan allows projects to proceed during the 5-year interim study period, any baseline data collected will no longer be baseline because it will have already been degraded by construction.

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Public Comments: Draft Revised Merced River Plan/SEIS

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There's lots of language co-opted from the Visitor Experience and Resource Protection (VERP) Handbook as well as lots of hype about the adequacy of VERP, but anything of value specific to the Merced River Corridor is put off to the future pending further study. Repeated throughout the document: "Management actions may differ depending upon which zone is affected. In Discovery (2A) zones, management actions are more likely to be restrictive of levels and types of visitor use, as these areas typically are more sensitive to visitor impacts and are managed for lower visitor concentrations. Management actions taken to address standards in more developed zones (2C through 3B) may focus more on education and site hardening, as these areas have been identified as being appropriate for higher levels of visitor use." But the reader is never clear on how all this relates to protecting the Merced ORVs.

In summary, this is basically a document full of empty rhetoric, a non-Plan. It talks about steps that may be carried out over the next 5 years that may yield more definitive information but there isn't anything real to present right now. How can a non-plan amend anything?

3. 'COMPLETION' NOT DEFINED. The Revised Merced River Plan is mired in double-speak. The Plan admits that the Park "is in the process of pilot-testing indicators and standards and gathering baseline data" (Page II-21). It goes on to state that "Alternative 2 would set interim limits on visitor use through specific facility limitations and implementation of... VERP... These interim limits would remain in place for up to 5 years or until the National Park Service is confident that... VERP... is providing sound guidance..." (Page II-31). Yet the following statements are unclear as to when done is done:

- Page I-6 states: "The National Park Service will fulfill its requirement to revise the... plan for the Merced River when the Record of Decision [ROD] on the Final... is signed... in 2005."
- Page I-8 states: "This Revised Merced River Plan/SEIS amends the Merced River Plan and will provide a framework for decision-making on future management actions within the Merced Wild and Scenic River corridor."
- Page I-9 states: "The Yosemite Valley Plan was developed and adopted in accordance with the Merced River Plan. Upon completion of the Revised... SEIS, the National Park Service will review actions approved in the Yosemite Valley Plan to determine whether any revisions... would result in any changes to the Yosemite Valley Plan."

Does fulfilling a requirement by signing the ROD in 2005 mean the Revised Plan is "done?" Is the mere signing of the ROD the trigger that instantly amends the 2000 Merced River Plan and the 1980 General Management Plan (GMP)? What does "completion of the Revised" River Plan mean? A signed ROD? Or does "completion" follow the lifting of the 5-year interim facility limits with full documentation as to how VERP has provided the required guidance on visitor use levels while guaranteeing protection of the Merced River ORVs? Without a clear understanding as to when done is done, it is impossible for the public to put this Plan in perspective with respect to its relationship to other plans.

If indeed this Revised River Plan establishes a 5 year study period during which baseline data is gathered and measurable standards and indicators are being developed and tested, then ALL FOLLOW-ON PLANS SHOULD BE PUT ON HOLD until the conclusion of that timeframe. When the Park is confident that the VERP management program is providing sound guidance on appropriate visitor use levels (something the Park claims will take up to 5 years), this Revised River Plan states that a fully documented report will then be released. That report should be the foundation for a Revised Merced River Plan that will then undergo full public review. If found to be acceptable, that document should be the basis for the ROD. Once an ROD

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is in place, all tiering plans such as the Yosemite Valley Plan, the Curry and Lodge EAs, etc. should be reexamined in light of this "developed-over-5-years" VERP program. Yet a review of Appendix F, "Potential Cumulative Actions," implies there will be no hold on any of the projects specified in the Yosemite Valley Plan; numerous EAs and environmental compliance documents (categorical exclusions?) will be developed and released in 2005—the same year in which the Park plans to sign the ROD for this non-Plan. The public is led to believe that all the hoopla about interim facility limits and five-year study programs will enable the Park to make sure the Merced River Corridor is protected—essentially a long pause that will enable Park managers to get it right. The reality is that as soon as the ROD is signed, it's full steam ahead. How can the Park reexamine any follow-on project in earnest when trees have already been logged, facilities have already been constructed, roads have already been realigned, traffic circulation has been reconfigured, visitation patterns have been altered? This Plan is pre-decisional—a blatant manipulation of the court order—enabling Park administrators to carry forward their pre-determined agenda.

4. **ADHERENCE TO FLAWED ZONING.** This Revised River Plan endorses the same complex list of zones and permitted activities that were included in the invalid Merced River Plan. And though Park releases insist that the invalid Plan's management zoning program would not be revisited in the new planning effort—we continue to believe such a position is a grievous error. With respect to user capacity, WSRA Guidelines specifically state that "studies will be made during preparation of the management plan and periodically thereafter to determine the quantity and mixture of recreation and other public use which can be permitted without adverse impact on the resource values of the river area. Management of the river area can then be planned accordingly." The amount of use an area can sustain is inextricably linked to how the resource is to be managed. Adhering to hollow zoning delineations that were developed without resource and monitoring information coupled with a lack of user capacity research renders any 'revised' Plan fatally flawed. Current land-use management zoning appears to have been designed to accommodate predetermined development projects rather than protection of natural resources and ORVs as the primary focus. (David Siegenthaler of the National Park Service stated as much in El Portal, 2/11/00, in a formal Public Hearing presentation that the River Plan is "leaving the door open to accommodate a host of projects that have been on the table for a long time.")

5. **PROGRAMMATIC vs. IMPLEMENTATION PLAN.** The document clearly states that the Revised River Plan is a programmatic plan that establishes management direction. On the other hand, implementation plans, such as the Yosemite Valley Plan, "direct specific projects as well as ongoing management activities or programs." It would appear that in order to stay within the scope of *this* planning effort, comments from the public would need to address the programmatic aspect of the Plan and not become distracted by specific projects or site specific analysis. Yet by introducing interim facility limits associated with specific projects, this document misleads the public. The tendency will be to focus more on individual projects (e.g., campgrounds, lodging, day visitor parking, etc.) rather than what is intended to be a resource-based analysis. And, consequently, will such confusion render numerous public comments useless because they may be considered outside the scope of this planning effort?

6. **INCONSISTENCIES BETWEEN INTERIM FACILITY LIMITS & 1980 GMP CAPACITIES.** The Revised River Plan continues to profess devotion to the 1980 General Management Plan: "Park management would continue to use the visitor capacity goals from the General Management Plan for all facility planning purposes and would continue to manage the park with the intent of reaching those goals" (page II-35). But as acknowledged in the Yosemite Valley Plan: "While the General Management Plan prescribed a maximum daily use...level for Yosemite Valley, its analysis was facility- and vehicle-based, with no criteria

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for protection of resources or visitor experience" (Final YVP/EIS, Volume 1A, page 2-21). The Merced River Plan was supposed to institutionalize the protection of those natural resources and the visitor experience with a scientifically-based monitoring program complete with clearly defined and measurable standards and indicators. But while Park administrators claim allegiance to GMP capacity goals, a closer examination of those goals reveals stark inconsistencies.

Camping

The 1980 GMP claimed that within Yosemite Valley, the park would continue to "provide a variety of camping opportunities" while removing "facilities that are sources of impact on riparian areas" (GMP, page 43). To accomplish that goal, the GMP advocated removal of campground sites and other development closest to the Merced River—a total of 116 units. The plan would "retain and revegetate 684 drive-in campsites" out of a total 756 proposed campsites in Yosemite Valley (less than the 872 existing pre-1980).

The Revised Merced River Plan wants us to believe it is working diligently to achieve the capacity goals outlined in the 1980 GMP. Examining that effort more closely: the interim capacity goals as outlined in Appendix D will result in 432 drive-in sites and another 194 group/walk-in/walk-to sites for a total of 626 (the Plan says 628 but there is discrepancy in the numbers). BUT a review of Appendix F "Potential Cumulative Actions," page F-7 describes a project titled "Visitor Use and Floodplain Restoration Program" which discusses the ecological restoration of North Pines campground (86 sites) and the northwest end of Lower Pines Campground (16 sites) with an EA planned for release in 2005. The Yosemite Valley Plan is even more clear: "North Pines Campground, which was also affected by flooding... would be removed to preserve and restore highly valued resource areas" and a "portion of Lower Pines Campground... would not be reconstructed" (Final YVP/EIS, Volume 1A, page 2-68). Since interim capacity numbers include the sites at these two locations, we can only conclude that such sites will be temporary—a future loss of 102 existing drive-in sites. Meanwhile, Appendix D counts as part of the interim camping numbers the construction of 160 NEW sites (30 RV, plus 130 walk-in/walk-to/group)—sites outlined in the Yosemite Valley Plan and the Curry EA. (But wait!! Aren't these follow-on plans supposed to be reevaluated after the Revised Merced River Plan is "completed"? Yet the park is going forward and actually building facilities described in these follow-on plans NOW as part of their Revised River Plan interim facility numbers? How do you reevaluate something that has already been constructed?)

All documents appear to lead to the conclusion that at the end of the 5-year interim period, camping in Yosemite Valley will return to the pre-decisional number outlined in the Valley Plan: 330 drive-in sites (not the 684 mentioned in the GMP); and 170 walk-in/walk-to/group sites (not the 72 mentioned in the GMP); a grand total of 500. This is substantially less than the 756 campsites proposed in the 1980 GMP and a drastic reconfiguration—cutting low impact, inexpensive, drive-in family campsite opportunities by more than 50%. Guess the GMP capacity goals for camping didn't fit with the current administrative agenda...

Even more disconcerting is the sleight of hand with which these numbers are presented in the Plan (and in the press): "...camping would be allowed to increase by 162 sites to a total of 628 sites. This level would be well below the number of campsites that existed in the Valley prior to the 1997 flood" (page II-34). Scoping letters overwhelmingly demanded a reevaluation of camping opportunities and in fact, the scoping history section claims to have addressed access to camping in this document. Without a closer examination of how the numbers add up (and subsequently disappear), park administrators are trying to appear as if they "heard" the public outcry and are doing something about it. Nothing could be farther from the truth.

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Lodging

To review the facility capacity goals of the GMP: Yosemite Lodge—364 units (58 low-cost cabins w/o bath, 32 cabins w/bath, 274 motel units); Curry Village—208 units (90 low-cost cabins w/o bath, 118 moderate cost lodge rooms and cabins w/bath) plus 335 tent cabins; Ahwahnee Hotel—121 upscale hotel rooms and cabins; Housekeeping—232 tent cabins. Total overnight lodging: 1,260 units. It is important to note that these numbers represent *proposed* accommodations supporting the visitor capacity goals of the 1980 GMP; the 1260 number (down from 1528) already reflects the removal of 268 units along riverbank areas and away from rockfall zones. It is also important to study the configuration. Approximately, 57% of accommodations were low cost and primitive in nature—567 tent cabins and 148 cabins w/o bath.

Interim facility capacity outlined in the Revised River Plan is 1,262 units—which as noted in the Congressional Report on the Flood Recovery Request (3/26/97) was right in line with the GMP proposed lodging goals: “In other words, if the Federal government does not spend \$28 million to build new revenue-generating facilities for the concessioner, the goal of reducing lodging accommodations to the level identified in both the General Management Plan and the Concession Services Plan will be achieved...” But apparently, Park administrators and the concessioner had other ideas as to how lodging should be reconfigured to maximize profit. Appendix D also notes there is an “18-month transition period between bringing NEW units on line and closing existing units” (page D-4). This clearly indicates that the Park will be moving forward with plans outlined in the Yosemite Lodge and Curry Village EAs as well as the soon-to-be released Floodplain Restoration EA (downsizing of Housekeeping)—all described as cumulative actions in Appendix F. (But wait!! Aren’t these follow-on plans supposed to be reevaluated after the Revised Merced River Plan is “completed”? Yet the park is going forward and actually building facilities described in these follow-on plans NOW as part of their Revised River Plan interim facility numbers? How do you reevaluate something that has already been constructed?)

And what will be the final outcome as detailed in the above-referenced documents: Yosemite Lodge—251 units (117 existing motel units; 134 *NEW* midscale units); Curry Village—313 units (80 existing cabins w/o bath, 108 *NEW* cabins w/bath, 100 existing cabins w/bath, 25 lodge rooms/w bath) plus 174 existing tent cabins; Ahwahnee Hotel—123 upscale hotel rooms and cabins; Housekeeping—100 tent cabins. Total pre-decisional lodging: 961 units. It’s interesting to note that the number of hard-sided lodging units didn’t really change (though many will be upgraded to resort style); the GMP proposed 693 hard-sided units whereas the Yosemite Valley Plan indicates 687 hard-sided units. The real difference is with low cost, family affordable tent cabins, a change from 567 units in the GMP to 274 in the Valley Plan and a loss of 68 low-cost cabins w/o bath due to upscaling; apparently these units must not generate enough profit for the concessioner.

Scoping comments expressed concern with respect to how park plans would impact gateway communities. The 1980 GMP specified a much greater number of primitive low-cost tent cabins and cabins w/o bath than are currently planned. Consequently, gateway hoteliers built mid-priced and deluxe rooms that would complement, not compete with, Park accommodations. Current Park plans to increase the number of mid- to higher-priced rooms creates a situation where the gateway communities are in direct competition with the concessioner. Additionally, plans to force gateway overnighers (aka “day visitors”) onto buses further places gateway businesses and clientele at a marked disadvantage. And the increasing focus of the concessioner toward event visitation (e.g., conferences, Chefs’ Holidays, Vintner Holidays, 8 Bracebridge Dinners, Heritage Days, etc.) and resort-style entertainment further competes with gateway resort properties developed in response to the stated GMP intent “to redirect development to the periphery of the park and beyond.”

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Overnight Visitor Population in Yosemite Valley

The Revised River Plan states that its goal is to achieve the same level of overnight visitation as is proposed in the 1980 General Management Plan—7,711 visitors. Appendix D indicates average occupancy levels in hopes that the public reviewer will better understand how this level can/will be achieved. Using the occupancy formulas provided by the NPS (3.16 for hard-sided lodging; 4 for tent cabins; 4 for drive-in campsites; 12 for group campsites; 6 for walk-in or walk-to campsites; and 25 for Yellow Pines), we have applied those formulas across the board for comparison purposes. See Table 1.

Table 1: OVERNIGHT VISITOR POPULATION IN YOSEMITE VALLEY

	GMP*	Existing	Interim MRP	YVP
CAMPING				
Drive-in	684 x 4 = 2736	402 x 4 = 1608	432 x 4 = 1728	330 x 4 = 1320
Group	14 x 12 = 168	2 x 12 = 24	12 x 12 = 144	10 x 12 = 120
Camp 4 (w/i)	38 x 6 = 228	35 x 6 = 210	60 x 6 = 360	65 x 6 = 390
Muir (w/i)	20 x 6 = 120			
Backpacking		23 x 4 = 92	53 x 4 = 212	30 x 4 = 120
Yellow Pine		4 x 25 = 100	4 x 25 = 100	
Tenaya (w/t)			20 x 6 = 120	20 x 6 = 120
Upper Pines (w/i)			45 x 6 = 270	45 x 6 = 270
TOTAL-Camping	3252	2034	2934	2340
LODGING				
Housekeeping	232 x 4 = 928	266 x 4 = 1064	266 x 4 = 1064	100 x 4 = 400
Ahwahnee	121 x 3.16 = 382	123 x 3.16 = 389	123 x 3.16 = 389	123 x 3.16 = 389
Curry**	208 x 3.16 = 657	201 x 3.16 = 635	201 x 3.16 = 635	313 x 3.16 = 989
Tent cabins	335 x 4 = 1340	427 x 4 = 1708	427 x 4 = 1708	174 x 4 = 696
Yose. Lodge	364 x 3.16 = 1150	245 x 3.16 = 774	245 x 3.16 = 774	251 x 3.16 = 793
TOTAL-Lodging	4457	4570	4570	3267
TOTAL	7709 (7711)	6604 (6247)	7504	5607

* Proposed GMP numbers *already* reflect removal of 116 campsites and 268 lodging units for purposes of protecting the riverbank.

** Curry Village includes rooms and tent cabins. Appendix D lumps them all into one category with an occupancy rate of 3.16. When tent cabins are broken out separately and charged with the same occupancy rate as Housekeeping (i.e. 4), the total number of overnight visitors comes to within two of the number cited in the GMP. Therefore, for consistency—have separated out tent cabins at Curry across the board.

NOTE: GMP—684 drive-in campsites + 567 tent cabins = 1251 lowest cost, overnight “family drive-in” opportunities
YVP—330 drive-in campsites + 274 tent cabins = 604 lowest cost, overnight opportunities
(52% decrease in lowest cost, overnight opportunities)

GMP—693 hard-sided overnight opportunities

YVP—687 hard-sided overnight opportunities

(less than 1% decrease; and 242 of these units will be upgraded to resort style)

Of the overnight opportunities remaining, how many are set aside for Park Partner volunteers, reducing availability to the general public still further

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You will note in Table 1 that implementation of the Yosemite Valley Plan will result in an overnight visitor capacity of 5,607—well below the 7,711 designated in the 1980 GMP. But even more disturbing is the 52% decrease in lowest cost, overnight opportunities—the types of facilities most affordable to young families and those with limited incomes; the types of primitive facilities that provide a low impact experience directly connected to Yosemite's natural values.

In summary, Park administrators' allegiance to the 7,711 overnight visitor capacity in the 1980 GMP on the surface appears insincere. However, the Revised MRP does leave the door open with such statements as: "...management actions taken in areas zoned for intensive use could include additional visitor services." If there are any such plans for expanding services, the focus should be on returning the number of drive-in campsites in Yosemite Valley to the level recommended in the GMP—and no RV hookups.

Employees/Employee Housing

Though employees and employee housing may initially seem out of place in any discussion of visitor capacity goals, such a discussion relates directly to the facility services. Defining the visitor experience is the first step in deciding what facilities are needed. There is a direct correlation between facilities and revenue generation; the concessioner claims to want to improve facilities (which of course facilitates higher prices and increased profits), but the question should be—does the Park even need those facilities? Once upon a time there was a goal that "visitors can step into Yosemite and find nature uncluttered by piecemeal stumbling blocks of commercialism, machines, and fragments of suburbia" (GMP, page 1). Do swimming pools, pizza parlors, bars/liquor outlets, gift shops, equipment sales/rentals, 22-bay transit center with expanded restaurant seating, never ending streams of buses, in-room TV, RV hook-ups, etc. contribute to the uniqueness of Yosemite Valley or are they intrusive "fragments of suburbia"? What is the base level of services to be provided in the Valley and what is the base level of employees required? Each employee needs housing, food, water, parking place, HR services and more, requiring an increased development footprint while adding to the capacity in the park.

As noted in the Revised River Plan, the 1980 General Management Plan proposed 1,790 employees corridor-wide. Of that number, only 480 employees were to live in Yosemite Valley—only 70 of which would be Park Service employees. It is now suggested that employee numbers be revised upward based on "changing demographics and park operational needs" to an interim number of 1,969 (though the Valley Plan stipulates 2,084). Further stipulated by the Valley Plan, 723 employees (up from 480) will be housed in the Valley—only 70 of which are Park Service employees. See Table 2. The increase is attributed to the need for more concessions employees. Claiming adherence to 1980 GMP goals is disingenuous at best, but nothing validates the unrestrained march toward expansion of commercialized services more definitively than the nearly 30% increase in concessions employees (GMP—1260; Valley Plan—1631). The Yosemite Valley Plan as supported by the Revised River Plan is a DEVELOPMENT plan—not a restoration plan.

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Table 2: EMPLOYEES/EMPLOYEE HOUSING

	GMP	Existing	MRP Interim	YVP
<u>VALLEY</u>				
NPS	70	97		70
DNC	400	1107		616
Other	10	37		37
Total	480	1241		723
<u>WAWONA</u>				
NPS	170	73		50
DNC	210	72		260
Other	50			
Total	430	145		310
<u>EL PORTAL</u>				
NPS	150	158		222
DNC	650	52		755
Other	80	45		60
Total	880	255		1037
<u>FORESTA</u>				
NPS				14
TOTAL	1790	1641	1969*	2084

* Appendix D (page D-4) states "This interim number is based on the General Management Plan proposed employee housing capacities in the Valley, El Portal, and Wawona. The overall employee housing number within corridor addresses changing demographics and operational needs and current housing deficiencies and was adjusted upward by 10%." None of those issues is defined as a basis for justification...

NOTE: Concessions employee beds would increase by 30% (1260/GMP to 1631/YVP) even though this Plan "claims" to remove commercialization—24% decrease in lodging units, 52% decrease in drive-in campsites, removal of stables, etc.?? The number of concessions employees to be housed in the Valley has increased 50% over that proposed in the GMP (400 to 616). However, the Congressional Report on the Flood Recovery Request stated "...the National Park realized that the number of housing units proposed in the General Management Plan was unrealistic for two primary reasons. First, the capacity of El Portal to accommodate replacement housing was considerably less than originally estimated. Second, 480 employee quarters were far less than the number required to service facilities in the Valley, meaning that commuting employees would add to traffic congestion."

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Commercial Rafting

The 1980 General Management Plan defines the "Park Experience" as "programs for doing, thinking, dreaming, and being in relationship with Yosemite's resources" (GMP, page 22). The Plan goes on to reference "park-related recreational pursuits such as walking and hiking, backpacking, and Merced River floating." NOWHERE does the GMP mention a full-blown concessioner rafting operation as necessary to achieve this goal. In fact, no such operation even existed in 1980; but in 1982, Ed Hardy (president of Yosemite Park and Curry Company) saw an opportunity to transform a casual visitor activity into a mass-produced, organized, paid Disney-style attraction (aka \$\$\$\$).

As detailed in *Yosemite, The Embattled Wilderness* by Alfred Runte (pages 213-216), use of the Merced multiplied three- or fourfold between 1982 and 1986 as a result of the explosive growth of commercial rafting. "... in a confidential report* dated March 1, 1986, the division identified twenty-four separate issues affecting Yosemite's air, water, vegetation, and wildlife. In Yosemite Valley the issue posing special problems was rafting on the river. 'The current high use levels have resulted in extreme crowding, aesthetic impairment for those wishing to view the Valley from the riverbank or from the Valley rim, litter problems in the river and along the banks, increased trampling and volunteer trails through meadows and erosion on riverbanks, and increased pressure to remove trees in the river on which rafts become entangled and those on the riverbank that may fall into the river.' Accordingly, the division proposed limiting company rafts 'to 90 per day and not more than 20 per hour.' Without those limits, the report concluded, issuing a subtle reminder about the alleged purposes of Yosemite National Park, **'the visitor experience in central Yosemite Valley will continue to shift away from quiet appreciation of the natural beauty of the flowing river, the meadows and riparian vegetation, and the scenic vistas toward a more amusement park atmosphere in which the recreational activity itself becomes the focus of attention.'** [emphasis added]

(* Confidential Report to the Superintendent, Division of Resources Management, Yosemite National Park, "Natural Resources Management Issue Statements," March 1, 1986, p. 9, Yosemite Park Office Records)

According to the Revised River Plan, "In the summer of 2003, approximately 13,700 rafts were rented by visitors from the Curry Village raft rental stand" (page III-83). Averaged over 60 days (early June to early August), that results in 228 per day—though it would seem the daily number would be much higher during the month of July when park attendance increases with school vacations.

There is numerous mention throughout the Revised River Plan of "visitor-related damage" and the need to regulate or restrict activity. Nowhere is such blame-the-visitor terminology more inappropriate than what the Park administrators have allowed to occur with commercial rafting. We are reminded of being in the vicinity of the raft rentals and being nearly run over by enthusiastic rafters racing down to Stoneman Bridge to put their raft in the water; we then watched the gigantic blue diesel bus followed by a box truck drive through sensitive Sentinel Beach picnic area every half hour to pick up rafters and bring them back to the rental facility. We do not understand why the NPS would allow the concessioner to operate a busy raft concession that accelerates severe erosion of the river bank alongside Stoneman Bridge; drive huge diesel vehicles through peaceful Sentinel Beach wiping out picnickers (guess they aren't of the same financial priority to the concessioner) while ultimately degrading the entire area. Though the concessioner may profit from rentals, concessioner profits should not determine park policy. And as we feared the NPS is now using these areas as examples of damage caused by visitors to justify why more restrictions must be implemented—when it's really a situation of "cause and effect" as initiated by the Park's own concessioner as Park administrators look the other way.

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This leads to the discussion as to whether the National Park Service should be in the business of "marketing" recreation (e.g., raft rentals, bicycle rentals, fishing/backpacking/mountaineering sales) or merely "accommodating" recreational activities for those who supply their own equipment. The ready availability of Park rentals, pandering to impulse decision-making by visitors, serves to increase activity in sensitive areas, resource "wear and tear," and potential safety issues. Conversely, if rentals are *not* available, visitors self-select their participation in a recreational activity based on whether or not they've chosen to go through the hassle of bringing/supervising their own equipment. The visitors themselves voluntarily reduce the impacts as opposed to the Park issuing more restrictions.

As part of the 5-year study program, have Park administrators even considered stopping commercial rentals of rafts and bicycles—instead accommodating these activities only if visitors bring their own equipment? It would be very interesting to see what such a study would reveal with respect to resource and safety issues. Instead, this Revised River Plan mentions "site hardening" (aka throw down some more asphalt) as the solution...

7. SOCIAL JUSTICE. Scoping letters overwhelmingly expressed concerns about elitism and how the Park was evolving into a resort experience that only the wealthy could afford. According to the Valley Plan, "It is generally believed that low-income and minority visitors to the park are underrepresented in the total visitor population. However, the overnight accommodation and recreation patterns of low income and minority park visitors have not been studied in detail. As a result, the impacts on low-income and minority overnight and day visitors cannot be analyzed quantitatively" (Final YVP/EIS, Volume 1B, page 4.2-247). The Valley Plan further states "the largest percentage of visitors to Yosemite National Park (26%) have an annual household income greater than \$100,000. The smallest proportion of visitors (5%) have an annual household income of less than \$20,000. By contrast, in the State of California the largest percent of the population (37%) has an annual income below \$20,000. The data illustrate that people from low-income households are largely underrepresented in the population of visitors to Yosemite... This is true on both a statewide and regional basis" (Final YVP/EIS, Volume 1A, page 3-156/7).

The Valley Plan assumed that "visitation patterns of low-income visitors tend toward the more inexpensive methods: day visits, camping, housekeeping, tent cabin rentals..." And yet the most significant changes proposed are with respect to day visitor access and reduction of low-cost camping and tent cabins. The Revised River Plan does not make it clear how it relates to the Yosemite Valley Plan, but what is clear is that it provides the framework for full implementation of the latter.

Referring back to Table 1, the 1980 GMP proposed 684 drive-in family campsites; the YVP slashed that to 330. The 1980 GMP proposed 567 tent cabins and the YVP slashed that number to 274 units. That represents a loss of 647 low cost (and close to nature) overnight opportunities affordable to young families and those on limited incomes. Using the Park's occupancy rate of 4 people per tent cabin and/or drive-in campsite, that is a lowest cost overnight opportunity no longer available to 2,588 people per night. On the other hand, there is less than a 1% decrease in hard-sided lodging units (GMP—693; YVP—687) with many of those facilities undergoing new resort-style construction or targeted for upgrades. In summary, the trend toward higher priced accommodations makes a Yosemite vacation for the average American family and those on limited incomes that much more difficult to afford, if at all.

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For those who can't afford to stay overnight, picnicking is a low-impact, resource-focused activity that can be enjoyed by families of all economic levels. The Revised River Plan upholds the zoning that closes some popular picnic areas completely while making the remainder only accessible by bus—a major inconvenience for families. In fact, the Valley Plan acknowledges “the style of picnicking is...likely to change for many visitors from car-based (grills, coolers, etc.) to daypack or box lunch picnics, with major and adverse impacts. Some visitors might find it more convenient (and costly) to purchase food at food service facilities, losing the picnic experience” (Final YVP/SEIS, Volume 1B, page 4.2-205). Again, families and those on limited incomes are targeted with bus fares, extra hassle, and forced reliance on concessioner products and services.

Addressing this scoping concern, the Revised River Plan displays underwhelming compassion stating “Any restriction on travel, lodging accommodations, or access to any area of the park...would be equally applied to all visitors, regardless of race or socioeconomic standing. In addition, it is expected that minority populations comprising a portion of Yosemite visitation come from areas outside the immediate Yosemite area, such as the Central Valley, San Francisco, and Los Angeles, and have a variety of other recreation options available to them besides Yosemite National Park” (page III-3). The message: if you can't afford Yosemite, there are other choices out there—go somewhere else.

As a publicly funded entity, the national parks must serve ALL Americans. It appears that many of the plans and policies now advocated in Yosemite are facilitating economic discrimination. Quantitative studies with respect to recreational patterns of low-income and non-Anglo populations are critical to future land-use management zoning and user capacity determinations and should inform Park administrators' decisions. Where are those studies and why aren't they informing not only a Revised River Plan but all future planning documents?

As an aside, there has been much media recently about how the national parks need more money to work with underrepresented students. Studies by NPCA document alleged underfunding at Yosemite; another article states that 50% of Mariposa students had not visited Yosemite Valley; SCA recruit Jay Watson wastes no time jumping on the bandwagon. New legislation designed to shape national recreation policy wants to fund “access from urban population centers, to improve the benefits derived from public lands and waters by urban, poor and ethnic Americans.” Such self-serving hype is abominable when we see firsthand how the policies of the Park are turning these groups away in droves. For example, Butch Street, leading NPS statistician, was recently quoted in the Casper Star Tribune: “Much of the nation's population growth is Hispanic, and Hispanics don't go to national parks. They're much more focused on getting together with extended family.” At Yosemite, Swinging Bridge and Sentinel Beach picnic areas are two ethnic enclaves where extended families gather with playpens, barbecue grills, scooters, strollers, etc. to spend a full day together alongside the Merced River; but Yosemite is closing down Swinging Bridge and has blown out Sentinel Beach with the constant running of the diesel bus/box truck raft pick-up brigade. Meanwhile Housekeeping is the site of numerous family reunions and it is slated for a drastic downsizing. So in other words—use these underserved populations if they can generate additional funding for whatever purposes, but when these young people want to come back to Yosemite with their families to build lifetime memories—the welcome mat has already been rolled up; more than 52% of low cost overnight opportunities have been eliminated, what is available is unaffordable, but if they want to take a seat on the bus... Of course, there are a “variety of other recreation options available to them besides Yosemite National Park.”

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8. TRANSPORTATION AND ELIMINATION OF DAY VISITOR PARKING. The 1980 General Management Plan was very clear in stating the ultimate goal was to exclude private vehicles from Yosemite Valley. The Plan advocated a study "to find a method to totally eliminate cars and other obtrusive vehicles from Yosemite Valley. As additional bus service from outlying areas on the periphery of the park and in gateway communities becomes feasible, all day visitors and ultimately all overnight visitors will be able to enjoy the Valley without their cars. Each phase of the transportation system will be adequately planned to minimize environmental impact, solve operational problems, and promote public acceptance" (GMP, page 20). **This appears to be the ONLY goal from the GMP that is embraced by Park administrators.**

The foundational element of transportation system design is user capacity. In a recently released (11/15/02) report, *"National Park Service: Opportunities to Improve the Administration of the Alternative Transportation Program,"* a U.S. General Accounting Office (GAO) investigation substantiated that each NPS busing proposal is supposed to address non-construction alternatives (i.e., simple remedies such as traffic management that would *not* involve road widening/realignment, bus depots, etc.). Additionally, each proposal must mandate park capacity data (i.e., user capacity) to guarantee that a bus won't bring in more people than what the user capacity will allow.

The 1982 WSRA Interagency Guidelines define user capacity as the quantity of recreation which an area can sustain without adverse impact on 1) the outstandingly remarkable values and the free-flowing character of the river area, 2) the quality of the recreation experience, and 3) public health and safety. But as mentioned earlier, the Park and VERP have chosen to redefine user capacity as "the types and levels of visitor use that can be accommodated while sustaining the desired resource and social conditions that complement the purpose of the park units and their management objectives." Nowhere does it appear more clear as to why the Park needed a redefinition—"complement the purpose of the park units and their management objectives"—than with respect to transportation. By changing the definition, Park administrators apparently believe they now have the maneuverability to implement the NPS vision of converting the Valley from auto-touring to mass transit tourism.

Using the WSRA Interagency "official" definition of user capacity, it is impossible to justify an urban-style mass transit system as being protective of the Merced River ORVs or enhancing the quality of the visitor experience.

With respect to the outstandingly remarkable values and the free-flowing character of the river area—already irreparable environmental damage has been done with the widening and realignment of El Portal Road and the cutting of hundreds of trees in anticipation of the realignment of Northside Drive. More damage would occur with the widening and realignment of Segment D, Southside Drive as well as the construction of a 22-bay transit center followed by other changes in infrastructure required to accommodate 500 roundtrip shuttles daily during peak season, one arriving every 1.4 minutes (per YVP)—more asphalt pavement, more sprawl parkwide, more crowding. The radiating impacts of busload after busload of visitors loading/unloading as well as overwhelming stops along the shuttle route, not to mention the LAX-style congestion at the transit center, will result in trampling and further environmental degradation. The Park has already allowed a despicably oversized bus stop structure adjacent to Yosemite Falls to accommodate increased bus traffic to the Falls (or so that's how it's being rationalized). As stated in a 1994 Alternative Transportation Feasibility Study: "potentially higher levels of particulate and nitrogen oxides (NOx) emissions would be generated by high volumes of bus travel on park roads;" "increased noise levels on park

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roads and in the Valley would be associated with high volumes of bus travel." Those facts are validated in the Yosemite Valley Plan. So many negatives—and still the vision of mandatory busing lives on. Since the concept of busing was originally proposed in the '70s, a host of environmental regulations have ensued targeting vehicle emissions. It makes no sense to replace cleaner cars with oversized dirty buses—buses that will only amplify the noise, the smell, and the glare, qualities that the 1980 GMP sought to reduce. With responsible traffic management solutions coupled with user capacity determination informing management zoning decisions—the entire issue of busing needs to be reexamined from an environmental perspective based on facts.

The adverse impacts of mass transit tourism on the quality of the visitor experience are well documented. "Because of the serious drawbacks of remote staging for valley access," the 1994 Alternative Transportation Feasibility Study discarded the concept as a viable option because "the cost, visitor confusion, visitor delay, information challenges, and management difficulties associated with operating remote valley staging areas would be substantial. In return, the benefits would be minor, consisting of moderate decreases in vehicle traffic along sections of park road that are not congested. Perhaps the greatest drawback of remote staging would be the loss of visitors' personal freedom to experience portions of Yosemite at their own pace and in their own way." As far back as the 1988 "Feasibility Study Relating to Increased Bus Traffic in Yosemite," then-Superintendent John Morehead warned Congress that "increasing the number of...buses in the park would increase the number of bus passengers who represent an older, slightly wealthier, and a non-family unit, and would cause a resulting decrease in the number of traditional families, especially those with children, who rely upon an automobile to travel." Additionally, the Yosemite Valley Plan and subsequent project EAs document at great length the adverse impact busing will have on the quality of recreation experience for day visitors. The entire issue of busing needs to be reexamined from a visitor experience perspective.

There are also emergency concerns with respect to mass transit tourism from both an evacuation perspective as well as a single accident perspective. A bus going over an embankment can require life-or-death medical attention for 40 or more people all at one time. What, if any, medical facilities are available in the gateway communities or the Park to handle large numbers of people; are there airlift capabilities beyond 1 or 2 helicopters; how many ambulances are available; will emergency vehicles even be able to access an accident competing for space on 2-lane mountain roads.

But by adopting the easy-to-spin VERP definition of user capacity which only seeks to "sustain the desired resource and social conditions that complement the purpose of the park units and their management objectives," accountability for the guaranteed protection of the Merced River ORVs can now be explained away using the political agenda of the day as justification. And so the Revised River Plan sets the framework to implement the urban-style mass transit system envisioned in the 1980 GMP.

Management zones have been designated that are considered appropriate for higher levels of development and visitor use with "site hardening" apparently the new terminology for protection or "reducing impacts to resources." (Since when did more asphalt pavement and commercial development become synonymous with protection—or has "protection" been redefined as well?) Numbers of employees/employee housing units have been increased—282 needed just as shuttle bus drivers (Final YVP/EIS, Volume 1A, page 2-83). Reconfiguration of traffic circulation patterns identified in follow-on plans will consolidate bus routes. Reductions in drive-in camping and tent cabin opportunities will reduce private vehicle access. Phase 1 of the Master Utility Plan, designed to accommodate new development, is currently under construction.

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And what about the visitor experience (i.e., "social conditions that complement the park units and their management objectives")? According to the Revised River Plan, "Regardless of the management actions taken, it is anticipated that park management, park partners, and the primary park concessioner would adjust visitor services provided to meet the level of demand that would result from park management decisions on activity levels through the Valley. ...visitors would still have access to visitor services, but there could be limitations or restrictions in certain areas" (page IV-199). As perceptively stated in a letter to the editor nearly 7 years ago: "The whole concept of elimination of individual ownership and use, in favor of group use, is at the base of many of the Park Service plans. For example, the massive invasion of the visitors, foreign and domestic, by controlled means through the use of the tour bus is creating a faceless user who no longer feels a personal connection between himself, his family and these pristine areas. He is fed our national parks much like the Monterey Aquarium—behind the glass wall of Park Service policy. In a controlled environment, he will be shown and told what the Park Service thinks is appropriate at the time. The loss of personal pride in our national parks will ultimately be devastating." Shuttled from one commercial site-hardened hub to another, assured that VISA and Master Card are always welcomed, Park administrators are not only changing the face of the visitor (e.g., international; wealthy; childless; older) but transforming the visitor experience.

"As with many recreation management situations, the more the visitor perceives the manager to be controlling things, the more they expect nature to be under the manager's control and responsibility. The duty of care has shifted, and the visitor increasingly becomes the passive consumer. Disney encourages 'the consumer to relate to America as a spectacle rather than an object of citizenship' Rojek, C. (1993). Disney culture" (Leisure Studies, 12, 121-135).

Additionally, this Revised River Plan mentions limiting day-visitor parking to the 2,097 existing spaces on an interim basis. But a review of Appendix F makes it clear that a host of plans are set for release in 2005 that will incrementally remove interim day visitor parking spaces as the Park transitions to an urban designed mass transit system complete with park 'n' ride lots, over-the-road diesel motor coaches to handle the range of elevations, and more. (But wait!! Aren't these follow-on plans supposed to be reevaluated after the Revised Merced River Plan is "completed"? Yet the park is going forward and actually building facilities and reconfiguring infrastructure described in these follow-on plans NOW as part of their Revised River Plan interim facility numbers? How do you reevaluate something that has already been constructed?)

The Revised River Plan also proposes to increase the number of tour buses including buses with commercial permits (e.g., YARTS) from the Valley Plan peak estimate of 60 to 92 per day on an interim basis. Long-term options for transportation are vague: "In the long-term, park management could implement management measures that would change visitation patterns and transportation conditions in the Valley." There is no discussion as to what those changes might be other than generating fear that there is the possibility of increased implementation of restricted access. Official testimony and media statements forecast the final transition to bus access for day visitors won't occur for 10-12 years. That may seem far into the future for park personnel, but it might as well be "tomorrow" for all who have this special place engraved on our souls. As Henrietta DeGroot, NPS Project Management, told an agitated standing-room audience in Oakhurst in December of 1998: "Get used to it."

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ADDITIONAL COMMENTS

- The Federal Register Announcement (1/4/05) concerning the upcoming release of the Revised Merced River Plan made reference to a Scoping Report being available. On January 12, we requested a copy of the Scoping Report; though we had already spent considerable time reading the scoping letters posted on-line, we were interested to see how the Park framed the content of those letters. We received no reply. On January 26, we sent a 2nd request. The response was that "staff is working on the finalization of the Scoping Report for the Revised Merced River Plan and will have it posted to the Website as soon as possible. To date, there is still no such report posted.
- Kristina Rylands, NPS Deputy Project Manager, was extremely helpful in providing a copy of the Day-Visitor Parking Inventory. The document was very complete and well done. Kristina responded promptly and was always personable and professional. We sincerely appreciate her "above and beyond" help—though we did not appreciate the heavy-handed letter signed by Superintendent Tollefson that accompanied the information informing us that we had gone about requesting the materials in an inappropriate manner; that it should have been through a FOIA request but since it didn't cost more than \$30, there would be no charge. Such a letter seems inconsistent with Park releases encouraging the public to contact park staff...

CONCLUSION

The Revised Merced River Plan isn't a plan at all. It is a 'statement of work'—though vaguely worded and confusing to understand—to be performed over the next 5 years as is usually done in a contract. To continue moving forward with all the Valley Plan projects detailed in Appendix F as soon as the "contract" is signed is unconscionable. It's like contracting with someone to analyze the best way to build a bridge but then going ahead and building the bridge without waiting for the analysis.

We strongly support the concept of a 5-year interim study period with the following conditions:

- That the study period be viewed as a time to gather baseline data, develop and field test indicators and standards, and design/test/implement a clearly defined comprehensive resource monitoring program to guarantee protection of the Merced River Outstandingly Remarkable Values. Also conduct sociological studies that scientifically support visitor use planning assumptions including recreational patterns of low income and non-Anglo populations, visitor attitudes, etc. Results of this 5-year effort will become the foundation for a real Revised River Plan that would then be released to the public for formal review. It would be this 5-years-from-now document that would become the basis for the Record of Decision.
- That the scope of the 5-year interim effort be broadened to include review of all of the management elements and their integral relationship to user capacity.
- That all Park implementation plans be put on hold during the 5-year interim study period and until after the ROD is signed so that these follow-on plans can then be reevaluated and/or modified in earnest using a true Revised River Plan as a template.

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- That the study period incorporate active broad-based public participation utilizing on-the-ground volunteers, advisory councils (e.g., campers advisory council, lodging advisory council, disabled advisory council, gateway advisory council, etc.) and other manner of civic engagement providing direct input throughout the entire decision-making process—research, plan development, implementation, and on-going monitoring and evaluation. The core planning team should include Native American representation as well as a representative from each of the public advisory councils.
- That pre-determined political and financial agendas as well as personal ambition be set aside with the focus on what is best for the Merced River Corridor and Yosemite National Park.

Until Park administrators embrace an informed, diverse public as a value-added part of their team instead of as an adversarial entity to be circumvented, neutralized, even marginalized, then all Park plans will continue to be mired in controversy—all the while, Yosemite loses.

Sincerely,

ad

Oakhurst, CA 93644

Cc: Gary Gilbert; District 5 Supervisor, Madera County
Mark Thornton; District 4 Supervisor, Tuolumne County
Lee Stetson; District 1 Supervisor, Mariposa County
Shelly Abajian; District Director for U.S. Senator Dianne Feinstein
Jim Molinari; State Director for U.S. Senator Dianne Feinstein
Chris Valadez; Field Representative for U.S. Representative George Radanovich

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Attorney at Law

Alameda CA 94501

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March 10, 2005

Superintendent
Yosemite National Park
PO Box 577
Yosemite CA 95389

I have examined the Yosemite Wild and Scenic Plan. It is fatally flawed, internally inconsistent, contradictory, confusing, and impossible to understand. Such a document is of no practical value or legal import. You must withdraw it, draft a comprehensible plan with full protection for the corridor, and set up a new public comment period.

Sincerely yours,

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To: <yose_planning@nps.gov>
cc:
Subject: public testimony Mariposa

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MRP Public Testimony—Mariposa 3/4/05

As an 18 year resident of the Merced River Canyon I am sorry to report that in the last few months, while the National Park Service continued to fail to protect the Merced River and its values—trees, including ancient California black oaks, were felled and archeological sites disturbed in Yosemite, and construction has commenced on an office building in El Portal that may not even be necessary. Let's not forget that the NPS has a recent history of forcing organizations like the Sierra Club, Friends of Yosemite Valley, and MERG into suing, as a last resort, over a glaring lack of protectiveness for the Wild and Scenic Merced River and that is why the 2000 Merced River Plan had to be revised and we are here tonight. But, unfortunately, in this revised river plan the NPS has demonstrated again that they are promoting short-sighted greed over social equity and the preservation of wilderness. This revised draft Merced River Plan is a barely comprehensible document; and aside from an eerie silence from park partners like YA and YI, this plan and its impossible alternatives is being questioned publicly and privately by many informed locals, including park service employees. I'd like to believe that our local park planners have good intentions and would really like to protect the Merced River, but it seems from this plan that they are simply following suspect orders from higher up. Therefore, I want to remind the planning team that no matter whether they are paying their mortgage, saving for a comfortable retirement or following their government career path, they need to conduct themselves as though their children's children will live here—for generations to come. Regardless of the political climate, I ask them all to remember that they are charged with serving ALL OF US in preserving and protecting the Merced River and all its values. The construction that is happening right now in Yosemite Valley will make way for the additional Delaware North Corporation employee dorms and utilities that park management has deemed necessary (without OUR input) to support yet more upscale increases (check out overnight lodging numbers in this plan). Meanwhile, since 1997 affordable low impact campsites have been reduced in the Valley by 40%. And the Lower Yosemite Fall trail is in the final stages of an expensive make-over passed off as restoration. Just in case you haven't yet seen it for yourself, the Lower Fall area has been logged and freshly paved—thanks mostly to 11 million dollars from urban and well-heeled Yosemitephiles (a.k.a. The Yosemite Fund) AND additional millions from an NPS that continues to cut back on valuable interpretive staff and resource protection needed in the park. This moneyed "campaign" of shock and awe at Yosemite Falls has been culturally insensitive to local

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Indian people and is yet another example of the arrogance of our time. This trend in the park reminds me, unfortunately, of Joni Mitchell's prophetic song Big Yellow Taxi . . . paving paradise and then charging—too much—just to see it. Superintendent Tollefson has said that the NPS has a goal of a "smaller human footprint" in Yosemite but his words mean little given the lack of social equity and habit of rushing to pave and log that I am witnessing as a long term resident.

I must also remark on the supposedly public process the NPS has set up for this plan. While I applaud them for heeding public requests and posting scoping comments on their website, I wonder why my comments weren't among the 113 letters, faxes, and emails that are available for viewing. And last week, at the poorly publicized and therefore sparsely attended El Portal meeting, Mark Harvey, a member of the NPS planning team, stood behind me and made a cutting gesture across his neck while I politely requested, along with another neighbor, that we have a group question and answer with resource experts during the open house format in order to gain more understanding of the VERP portion of the plan. Mark Harvey is known in our community and there were several witnesses that saw his shocking gestures that evening. At the very least, this member of the planning team's actions were unprofessional; and they SHOULD be seen as undermining of any true public dialogue—they could even be interpreted as threatening. I am disappointed by this plan and its process and it seems to me NPS is just begging for litigation, yet again—at tax payer's expense.